14. In case the contractor squares any logs, he should pay one-third of the seigniorage extra calculated at the rates above fixed for such species.

15. In case the said contractor fails, neglects or refuses to obey all or any of the stipulations herein mentioned, the Conservator of Forests may cancel the contract, and hold the said contractor liable for all or any of the penalties which the law provides, and also order the forfeiture of the security of Rs. 100 and also of the logs felled and collected by him in pursuance of this contract.

16. In witness whereof the said contractor has set his hands the day and the year first above written.

(Sd.) P. S. KRISHNA AYYAR.

(Sd.)

Conservator of Forests.

Witnesses. 1. K. Ramunni Menon,

Divisional Forest Officer, Northern Division.

2. T. M. Subrahmanyia Ayyar,

Head clerk, Northern Divisional Office.

(True copy).

Mr. C. A. Kunjunni Raja's Nambudiri Religious and Charitable Endowments Bill.

President.—The next item of business is the introduction of the Nambudiri Religious and Charitable Endowments Bill by Mr. C. A. Kunjunni Raja.

Mr. N. Padmanabha Menon.—A point of order, Sir, under Standing Order 19, sub-section 2. "A member who wishes to move a motion shall give notice of his intention to the Secretary 6 clear days before the meeting at which he intends to move the motion".

Has notice of this motion to introduce been given in this case? I understand that he has given no notice to make this motion. Under Section 31, "When introducing a Bill the Member in charge of it shall move that the Bill be read in Council" To make this motion "6 days' clear notice" is necessary under Section 19.

President.—Has that notice been given?

Mr. C. A. Kunjunni Raja.—I may say that no notice has been given by me. I have given notice only for leave to introduce. Somehow the matter is placed before the Council. That is all.

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Mr. N. Padmanabha Menon.— Without notice I don't know whether a motion can be made, or whether under section 31 it will be correct to do so.

President.—During the last sitting this Bill came up, and Mr. Kunjunni Raja said that he wished to move it at the next sitting.

Mr. C. A. Kunjunni Raja.—This point was not raised during the last occasion. It was only as to whether, under S. O. 4 (2), I could wait for two sessions. That is all.

Mr. N. Padmanabha Menon.— The Hon'ble Mr. Krishnan Nayar's Bill referring to the Tenancy question was first discussed in the Madras Council, and leave to introduce the Bill at a subsequent meeting was refused. Notice was given for the introduction in one meeting. For some reason or other the Hon'ble Member was not able to move it in that meeting. He wanted to move it in the next meeting. Then this point was raised. If my memory be correct, it was decided in the negative. In this case no notice was given even for the last meeting.

Mr. K. T. Mathew.— The word is *meeting* and not *session*.

Mr. C. A. Kunjunni Raja.—I have not given notice. I don't want to make a request also to the President to excuse me for that. I cannot be compelled to move the Bill.

President.—Under S. O. 4 (2) the Bill will lapse.

Mr. N. Padmanabha Menon.—Under Rule 4 only Bills that have been *introduced* can be held over for 2 sessions. This Bill has not been introduced. So this *must* lapse.

President.—Is it a Standing Order or a Rule?

Mr. N. Padmanabha Menon.—Standing Order 4, Sir.

President.—"On the termination of a session all pending notices shall lapse, and a fresh notice shall be given for the next session; but Bills which have been introduced shall be carried over to the next session".

Mr. N. Padmanabha Menon.—But this Bill has not been introduced. The motion that the Hon'ble Member for the Jenmi Constituency is going to make is for the introduction of the Bill.

Mr. K. T. Mathew.—I move that, under Standing Order 26, the business now before the Council may be adjourned to the subsequent meeting.

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Mr. N. Padmanabha Menon.—When a point of order has been raised, and that has not been decided, no motion can be made. The point of order must first be disposed of.

President.—This is not a Bill that has been introduced.

Mr. N. Padmanabha Menon.—The motion that "the Bill be read in Council" is the proper introduction of the Bill. That has not been done. Only *leave* for the introduction of the Bill has been given in the Vrischigam sitting.

President.—Introduction proper is to take place at this stage.

Mr. N. Padmanabha Menon.—And for that 6 days' notice is necessary.

President.—So this cannot be considered as having been introduced. Is that the point?

Mr. N. Padmanabha Menon.—Yes, Sir. S5, under S. O. 4 (2) it must lapse.

Mr. A. B. Salem.—Standing Order 19 relates to motions alone. Whether that would affect Bills and resolutions is a doubtful point. Because there are 3 definitions in Standing Order 2. Standing Order 2 (7) defines motion. In these Standing Orders Bills and motions are defined. And Standing Order 19 only relates to motions. It does not relate to Bills.

President.—Of course, we know a Bill is not a motion, Mr. Salem. Moving that the Bill be read in Council is a motion. The Bill itself is not a motion.

Mr. A. B. Salem.—But that motion will come only under Standing Order 31. Standing Order 31 says "At any time after the Bill has been published in the Gazette, the member in charge of the Bill may introduce it". No separate notice is contemplated. He has only to move it. He has to get up and say "I propose to the House that the Bill be read in Council" That is what he has to say. That is not a motion, I submit. That is only an incidental action that is necessary for the purpose of bringing the wheel of legislation into action. A motion is a proposal made by a member for the consideration of the House. The Bill is before the House, and he has to move it.

President.—"I move that the Bill be read in Council" means that I make a proposal for the consideration of the Council relating to the Bill.

Mr. A. B. Salem.—The Bill is to be brought into the House and moved. Leave to introduce the Bill must be given

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first. The next stage is, if leave is given, it should be published in the Gazette. Suppose the Bill is published in last Saturday's Gazette, I can move it on Monday. "At any time"—how will six days' notice come there? Six days' notice is not necessary. So that these rules are not intended to apply to a case like a Bill. That is my submission.

President.—I cannot agree with you. So far as the Bill is concerned, the motion that "the Bill be read in Council" must be made. Whether it is a Bill or any other thing, the motion must be made.

Mr. A. B. Salem.—I ask the question, Sir. Suppose a Bill has been published in the Gazette on Saturday; and the next Monday am I entitled or any member entitled or not to move the Bill?

President.—You are not entitled as a matter of right. But, it is open to you to ask permission.

Mr. A. B. Salem.—I am entitled as a matter of right. S. O. 31 says "*at any time* after the Bill has been published."

Mr. C. Achyuta Menon.—Provided 6 days' notice has been given.

Mr. A. B. Salem.—Where is the proviso? So that for the introduction of the Bill no time-limit is given.

President.—That is to be read with the other clause, where 6 days' notice is necessary. We have to read certain things together. Because it is stated there in S. O. 31, that it can be introduced at any time, it does not mean that it is not controlled by any other Standing Order.

Mr. A. B. Salem.—That is all my difficulty, Sir. Can these provisions as to legislation be subject to the control of the provisions relating to motions as well? That is the point I want you to decide.

Mr. K. T. Mathew.—That the Bill be read in Council is a regular motion. Because clause 3 says "If the *motion* be seconded". So it is a regular motion.

Mr. C. Achyuta Menon.—There is no provision for any motion which has no reference to legislation or resolution. Here it is said "At any time after a Bill has been published in the Gazette, it may be introduced". But how is the Bill to be introduced? The next clause says "When introducing a Bill, the member incharge of it shall, move that the Bill be read in Council".

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And that is a motion. Motion is defined to be a proposal for consideration. But there is no motion apart from legislation or resolution.

President.—The point of order was raised by Mr. N. Padmanabha Menon under Standing Order 19 (2). No notice of a motion in regard to this Bill has been given, and the mover says that he has not given any such notice, nor does he want the President to exerise his discretion to dispense with notice. Since no notice of the motion has been given, this Bill cannot be taken up at this meeting. Have you to say anything in regard to this?

Mr. C. A. Kunjunni Raja.—With regard to that ruling I have nothing to say. But I have to submit that the Bill will not lapse.

President.—Well, that is a matter which will be considered.

Mr. C. A. Kunjunni Raja.—Provision is made for lapsing only for Bills which have been introduced, and only pending notices will lapse. There is no pending notice. That is the rule;—Standing Order 4.

President.—" But Bills which have been introduced shall be carried over to the next session ". The only question is whether this Bill is one which has been introduced.

Mr. C. A. Kunjunni Raja.—I have to give fresh notice.

President.—Bills which have been introduced shall be carried over to the next session. If this condition is fulfilled, we shall carry it over to the next session. Is this a case regarding which we can say it is introduced?

Mr. C. A. Kunjunni Raja.—I will have to give fresh notice to introduce the Bill.

President.—So that you cannot say with respect to this Bill that it is a Bill which has been introduced?

Mr. C. A. Kunjunni Raja.—I don't contend thus.

President —If that be so, according to this Standing Order, it cannot be carried over to the next session.

Mr. C. A. Kunjunni Raja.—I have only to give fresh notice for introduction.

Mr. C. Achyuta Menon.—There is no pending notice to lapse.

Mr. N. Padmanabha Menon.—There are only 2 courses, one, carrying it over to the next session, and the other, lapsing.

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This is a Bill which is not introduced. So it cannot be carried over to the next session. The only other course is that it must lapse.

President.—The other point is that pending notices shall lapse. You must understand the point. Mr. Raja asks : "Is there a pending notice given by me which is pending in order that it may lapse?"

Mr. C. A. Kunjunni Raja.—I have not given any notice at all.

President.—So that this is a case in which there is no notice pending. This is also a case where the Bill has not been introduced. And, therefore, it cannot be carried over to the next session. That is the difficulty.

Mr. N. Padmanabha Menon.—It is exactly what I submit. Mr. Raja brought to your notice one point of view. I brought the other point of view. It is for your decision that these points have been submitted.

President.—I will consider the matter and throw light on the point. This does not imply the negative.

Mr. C. A. Kunjunni Raja.—Not a word is said about Bills which have not been introduced, that they should not be carried over to the next session. Not a word is said about Bills which have not been introduced. There must be a specific provision for lapsing. It has to be specifically mentioned. Since there is no express provision, it cannot be said that the Bill will lapse.

President.—This is a positive statement.

Mr. C. A. Kunjunni Raja.—Not a word is said about the fate of Bills which have not been introduced. That is the fate of Bills which have been introduced. For introducing the Bill notice has to be given, and that I propose to do during the next session.

President.—We shall consider. It is not necessary for me to pass any decision now upon the point as to whether the the Bill lapses or not.

Resolutions on Matters of General Public Interest.

President.—We shall proceed with the discussion of the Mr. Raman's resolution.

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